

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MG PREMIUM LTD.,

CASE NO. C21-5733 BHS

Plaintiff,
v.

ORDER

VASILY KHARCHENKO, AND
INDIVIDUAL, and DOES 1-20, d/b/a
DAFTSEX.COM and
ARTSPORN.COM,

Defendants.

THIS MATTER is before the Court on Plaintiff MG Premium's Motion for Default Judgment against Defendant Vasily Kharchenko, Dkt. 20. MG Premium seeks \$15,000 per infringement of its copyrights, or \$32,145,000.

MG Premium also asserts, but does not demonstrate, that third party U.S. service providers Cloudflare, Inc.; FDC Servers, Inc.; Namecheap.com; NameSilo LLC; PrivacyGuardian.org; and Multi Media LLC, “share common interests with [Kharchenko], [are] in privity with [Kharchenko], and [are] subject to the control of [Kharchenko].” *Id.* at 17. It asks the Court to enjoin these non-parties from “any

1 continued assistance or participation” with Defendant Daftsex.com, Defendant
2 Artsporn.com, and non-party Biqle.com, and “streaming actions of Defendant Vasily
3 Kharchenko.” *Id.* at 18.

4 MG Premium argues that other districts have enjoined non-parties from providing
5 services to defaulting defendants in similar cases. *Id.* (citing *Triangl Grp. Ltd. v.*
6 *Jiangmen City Xinhui Dist. Lingzhi Garment Co.*, No. 16 Civ. 1498 PGG, 2017 WL
7 2831025, at *3 (S.D.N.Y. June 22, 2017) (enjoining “any third parties, including social
8 media platforms, . . . online marketplaces, online payment providers, including credit
9 card companies, . . . and other online service providers . . . to cease providing such
10 services to the Defaulting Defendants” and to transfer domain names to plaintiff)).

11 The Court is not prepared to issue a sweeping injunction against numerous non-
12 parties based only on the conclusory, unsupported allegation that Vasily Kharchenko is in
13 privity with them, or on the implausible claim that Kharchenko controls these entities.

14 MG Premium’s motion for a default judgment, Dkt. 20, is **DENIED without**
15 **prejudice** to re-file, supported by evidence and analysis supporting the propriety of such
16 a broad injunction.

17 IT IS SO ORDERED.

18 Dated this 29th day of September, 2022.

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BENJAMIN H. SETTLE
United States District Judge